



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2136

DATE SCANNED 9-15-10

SCANNER NO. 1

SCAN OPERATOR Amn

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FILED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2010 JUN -9 A 11: 55

June 9, 2010

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ACTING ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *NME* NATALIYA IOFFE/RHIANNON MAGRUDER/*DM* IAN WANDNER *IW*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 APRIL
QUARTERLY REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 April Quarterly Report in accordance with 2 U.S.C. § 434(a). The April Quarterly Report was due on April 15, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date or failed to file the report. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission

Reason to Believe Circulation Report

2010 APRIL QUARTERLY Not Election Sensitive 04/15/2010 H_S_P_UNAUTH

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|----------------|------------------------|-----------|----|--------------|-----------|----------|-------------|
| 2126 | C00392280 | ACE CASH EXPRESS INC PAC | | DAVID DODSON | \$259,403 | 1 | 4/21/2010 | 6 | \$41,391 | \$400 |
| 2127 | C00161570 | AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC | | MICHELLE LYNN CHANDLER | \$136,070 | 0 | 4/28/2010 | 13 | \$42,732 | \$460 |
| 2128 | C00406041 | ARLINGTON DEMOCRATIC JOINT FEDERAL CAMPAIGN | | JEAN MARSHALL CRAWFORD | \$123,749 | 0 | 5/5/2010 | 20 | \$20,000 | \$210 |
| 2129 | C00204388 | BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC) | | IRA LAMEL | \$102,887 | 2 | 4/30/2010 | 15 | \$4,501 | \$150 |

| | | | | | | | | | | |
|------|-----------|--------------------------------|-----------------------|-----------------------|-----------|---|-----------|-----------|-----------------|---------|
| 2131 | C00451104 | BYRON LEE FOR CONGRESS | LEE, BYRON LYNN | LESTER DUNN JR | \$297,406 | 1 | 4/23/2010 | 8 | \$12,200 | \$187 |
| 2132 | C00420125 | CHIANG PATEL AND YERBY INC PAC | | DAVID W. HAYS | \$105,653 | 0 | 4/27/2010 | 12 | \$16,750 | \$170 |
| 2133 | C00463876 | DEDE FOR CONGRESS INC | SCOZZAFAVA, DIERDRE K | DIERDRE K. SCOZZAFAVA | \$762,971 | 0 | | Not Filed | \$254,324 (est) | \$8,800 |
| 2134 | C00426320 | LIBERTARIAN PARTY OF INDIANA | | TODD SINGER | \$132,288 | 0 | 4/29/2010 | 14 | \$24,532 | \$180 |

| | | | | | | | | | | |
|------|-----------|---------------------|-----------------|--------------|--------------|---|-----------|-----------|----------|-------|
| 2136 | C00467670 | PAGLIUCA FOR SENATE | PAGLIUCA, STEVE | SANJAY SAIMI | \$16,692,686 | 0 | 5/18/2010 | Not Filed | \$32,813 | \$980 |
|------|-----------|---------------------|-----------------|--------------|--------------|---|-----------|-----------|----------|-------|

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| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA 6/2/2010 | RRP/Penalty |
|------|--------------|---|-------------------|---------------------|-----------|----|--------------|-----------|----------------|-------------|
| 2137 | C00252825 | PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE | | JOHN I. KANE | \$434,238 | 0 | 4/21/2010 | 6 | \$85,723 | \$1,100 |
| 2138 | C00452995 | POSTMA FOR CONGRESS | POSTMA, JAMES LEE | JAMES LEE POSTMA | \$167,294 | 0 | | Not Filed | \$41,824 (est) | \$990 |

| | | | | | | | | | | |
|------|-----------|--|--|---------------------|-----------|---|--|-----------|-----------------|---------|
| 2142 | C00466771 | SURGICAL INSTITUTE OF READING LP-PAC; THE | | STEPHEN P. BANCO | \$119,149 | 0 | | Not Filed | \$119,149 (est) | \$4,950 |
|------|-----------|--|--|---------------------|-----------|---|--|-----------|-----------------|---------|

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2010)
April Quarterly Report for the)
Administrative Fine Program:)

ARLINGTON DEMOCRATIC JOINT) AF# 2128
FEDERAL CAMPAIGN, and JEAN)
MARSHALL CRAWFORD as treasurer;)
BI-COUNTY POLITICAL ACTION) AF# 2129
COMMITTEE (FKA SUFFOLK PAC), and)
IRA LAMEL as treasurer;)
LIBERTARIAN PARTY OF INDIANA,) AF# 2134
and TODD SINGER as treasurer;)
AMERICAN PUBLIC POWER) AF# 2127
ASSOCIATION, PUBLIC OWNERSHIP)
OF ELECTRIC RESOURCES PAC, and)
CHANDLER, MICHELLE LYNN as)
treasurer;)
CHIANG PATEL AND YERBY INC PAC,) AF# 2132
and DAVID W HAYS as treasurer;)

BYRON LEE FOR CONGRESS, and) AF# 2131
LESTER DUNN JR as treasurer;)

ACE CASH EXPRESS INC PAC, and) AF# 2126
DAVID DODSON as treasurer;)
PLUMBERS UNION LOCAL 690) AF# 2137
POLITICAL ACTION COMMITTEE, and)
KANE, JOHN I. as treasurer;)
DEDE FOR CONGRESS INC, and) AF# 2133
SCOZZAFAVA, DIERDRE K as treasurer;)
PAGLIUCA FOR SENATE, and SANJAY) AF# 2136
SAIMI as treasurer;)

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letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2134 Decided by a vote of 6-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2127 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC, and CHANDLER, MICHELLE LYNN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2132 Decided by a vote of 6-0 to: (1) find reason to believe that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2131 Decided by a vote of 6-0 to: (1) find reason to believe that BYRON LEE FOR CONGRESS, and LESTER DUNN JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2126 Decided by a vote of 6-0 to: (1) find reason to believe that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer violated 2 U.S.C. 434(a) and

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make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2137 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE, and KANE, JOHN I. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2133 Decided by a vote of 6-0 to: (1) find reason to believe that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2136 Decided by a vote of 6-0 to: (1) find reason to believe that PAGLIUCA FOR SENATE, and SANJAY SAIMI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2138 Decided by a vote of 6-0 to: (1) find reason to believe that POSTMA FOR CONGRESS, and JAMES LEE POSTMA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2142 Decided by a vote of 6-0 to: (1) find reason to believe that SURGICAL INSTITUTE OF READING LP-PAC; THE, and STEPHEN P BANCO as treasurer

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violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baumly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 10, 2010
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 11, 2010

Sanjay Saimi, in official capacity as Treasurer
Pagliuca for Senate
102 Mount Auburn St.
Cambridge, MA 02138

C00467670
AF#: 2136

Dear Mr. Saimi:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through March 31, 2010, shall be filed no later than April 15, 2010. 2 U.S.C. § 434(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date, it is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On June 10, 2010, the FEC found that there is reason to believe ("RTB") that Pagliuca for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before April 15, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$990. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$990 is due within forty (40) days of the finding, or by July 20, 2010, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$32,813
Number of Days Late: Not Filed (for the purpose of calculating the penalty only)
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

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NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or July 20, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Pagliuca for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

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3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhianon Magruder in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen
Chairman

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$990 for the 2010 April Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by July 20, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Pagliuca for Senate

FEC ID#: C00467670

AF#: 2136

PAYMENT DUE DATE: July 20, 2010

PAYMENT AMOUNT DUE: \$990

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2310 JUL 27 A 9 41

July 26, 2010

SENSITIVE

MEMORANDUM

TO: THE COMMISSION

THROUGH: ALEC PALMER *AP*
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *NUS* NATALIYA IOFFE/RHIANNON MAGRUDER/IAN WANDNER *pm* *ie*
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM – FINAL DETERMINATION
RECOMMENDATION FOR THE 2010 APRIL QUARTERLY REPORT

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2010 April Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, Dede for Congress Inc. (AF 2133) disclosed a level of activity after the RTB finding which would result in a lower civil money penalty. The committee disclosed total receipts and disbursements of \$1,629 (previously estimated to be \$254,324), thus the fine would be lowered from \$8,800 to \$250.

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The Surgical Institute of Reading LP-PAC (AF 2142) filed the 2010 April Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$119,149), which would result in no civil money penalty (previously estimated to be \$4,950).

RAD Recommendation

- (1) Make final determination that the political committees and their treasurers listed on the attached reports violated 2 U.S.C. § 434(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

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Federal Election Commission
FD Circulation Report Fine Paid
2010 APRIL QUARTERLY Not Election Sensitive 04/15/2010 H_S_P_UNAUTH

| AF# | Committee Name | Candidate Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTB Date | RTB Penalty | Final Money Penalty | Date Paid | Amount Paid |
|------|---|-----------------|--------------|------------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 2126 | ACE CASH EXPRESS INC PAC | | C00382280 | DAVID DODSON | 04/21/2010 | 6 | \$41,391 | 1 | 06/10/2010 | \$400 | \$400 | 07/07/2010 | \$400 |
| 2127 | AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC | | C00161570 | MICHELLE LYNN CHANDLER | 04/28/2010 | 13 | \$42,732 | 0 | 06/10/2010 | \$460 | \$460 | 07/20/2010 | \$460 |
| 2128 | ARLINGTON DEMOCRATIC JOINT FEDERAL CAMPAIGN | | C00408041 | JEAN MARSHALL CRAWFORD | 05/05/2010 | 20 | \$20,000 | 0 | 06/10/2010 | \$210 | \$210 | 07/20/2010 | \$210 |
| 2129 | B/COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC) | | C00204388 | IRA LAMEL | 04/30/2010 | 15 | \$4,501 | 2 | 06/10/2010 | \$150 | \$150 | 07/21/2010 | \$150 |
| 2131 | BYRON LEE FOR CONGRESS | LEE, BYRON LYNN | C00451104 | LESTER DUNN, JR. | 04/23/2010 | 8 | \$12,200 | 1 | 06/10/2010 | \$187 | \$187 | 07/13/2010 | \$187 |
| 2132 | CHIANG PATEL AND YERBY INC PAC | | C00420125 | DAVID W. HAYS | 04/27/2010 | 12 | \$18,750 | 0 | 06/10/2010 | \$170 | \$170 | 06/28/2010 | \$170 |
| 2134 | LIBERTARIAN PARTY OF INDIANA | | C00428320 | TODD SINGER | 04/29/2010 | 14 | \$24,532 | 0 | 06/10/2010 | \$180 | \$180 | 06/28/2010 | \$180 |
| 2136 | PAGLIUCA FOR SENATE | PAGLIUCA, STEVE | C00467670 | SANJAY SAMI | 05/18/2010 | Not Filed | \$32,813 | 0 | 06/10/2010 | \$660 | \$660 | 07/10/2010 | \$660 |
| 2137 | PLUMBERS UNION LOCAL 680 POLITICAL ACTION COMMITTEE | | C00252825 | JOHN I. KANE | 04/21/2010 | 6 | \$85,723 | 0 | 06/10/2010 | \$1,100 | \$1,100 | 06/23/2010 | \$1,100 |
| 2138 | POSTMA FOR CONGRESS | POSTMA, JAMES | C00452865 | JAMES LEE POSTMA | 05/22/2010 | Not Filed | \$39,339 | 0 | 06/10/2010 | \$660 | \$660 | 07/20/2010 | \$660 |

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7/27/2010 7:33 AM

Federal Election Commission
FD Circulation Report Fine Not Paid
2010 APRIL QUARTERLY Not Election Sensitive 04/15/2010 H_S_P_UNAUTH

| AF# | Committee Name | Candidate Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTS Date | RTB Penalty | Days Since RTB | FD Penalty |
|------|-----------------------|------------------------|--------------|-----------------------|--------------|-----------|---------------|----|------------|-------------|----------------|------------|
| 2133 | DEDE FOR CONGRESS INC | SCOZZAFAVA, DIERDRE K. | C00463976 | DIERDRE K. SCOZZAFAVA | | Not Filed | \$1,829 (est) | 0 | 06/10/2010 | \$0,800 | 47 | \$250 |

| | | | | | | | | | | | | |
|------|---|--|-----------|------------------|------------|-----------|-----|---|------------|---------|----|-----|
| 2142 | SURGICAL INSTITUTE OF READING LP-PAC; THE | | C00466771 | STEPHEN P. BANCO | 05/16/2010 | Not Filed | \$0 | 0 | 06/10/2010 | \$4,950 | 47 | \$0 |
|------|---|--|-----------|------------------|------------|-----------|-----|---|------------|---------|----|-----|

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fine Program - Final)
Determination Recommendation for the)
2010 April Quarterly Report:)
ACE CASH EXPRESS INC PAC, and) AF# 2126
DAVID DODSON as treasurer;)
AMERICAN PUBLIC POWER) AF# 2127
ASSOCIATION, PUBLIC OWNERSHIP)
OF ELECTRIC RESOURCES PAC, and)
CHANDLER, MICHELLE LYNN as)
treasurer;)
ARLINGTON DEMOCRATIC JOINT) AF# 2128
FEDERAL CAMPAIGN, and JEAN)
MARSHALL CRAWFORD as treasurer;)
BI-COUNTY POLITICAL ACTION) AF# 2129
COMMITTEE (FKA SUFFOLK-PAC), and)
IRA LAMEL as treasurer;)
BYRON LEE FOR CONGRESS, and) AF# 2131
LESTER DUNN JR as treasurer;)
CHIANG PATEL AND YERBY INC PAC,) AF# 2132
and DAVID W HAYS as treasurer;)
DEDE FOR CONGRESS INC, and) AF# 2133
SCOZZAFAVA, DIERDRE K as treasurer;)
LIBERTARIAN PARTY OF INDIANA,) AF# 2134
and TODD SINGER as treasurer;)
PAGLIUCA FOR SENATE, and SANJAY) AF# 2136
SAIMI as treasurer;)
PLUMBERS UNION LOCAL 690) AF# 2137
POLITICAL ACTION COMMITTEE, and)
KANE, JOHN I as treasurer;)
POSTMA FOR CONGRESS, and JAMES) AF# 2138
LIE POSTMA as treasurer;)

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SURGICAL INSTITUTE OF READING AF# 2142
LP-PAC; THE, and STEPHEN P BANCO
as treasurer;

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on July 28, 2010 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2010 April Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated July 26, 2010, on the following committees:

AF#2126 Decided by a vote of 6-0 to: (1) make a final determination that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2127 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN PUBLIC POWER ASSOCIATION, PUBLIC OWNERSHIP OF ELECTRIC RESOURCES PAC, and CHANDLER, MICHELLE LYNN as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2128 Decided by a vote of 6-0 to: (1) make a final determination that ARLINGTON DEMOCRATIC JOINT FEDERAL CAMPAIGN, and JEAN MARSHALL CRAWFORD as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2129 Decided by a vote of 6-0 to: (1) make a final determination that BI-COUNTY POLITICAL ACTION COMMITTEE (FKA SUFFOLK PAC), and IRA LAMEL as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2131 Decided by a vote of 6-0 to: (1) make a final determination that BYRON LEE FOR CONGRESS, and LESTER DUNN JR. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2132 Decided by a vote of 6-0 to: (1) make a final determination that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2133 Decided by a vote of 6-0 to: (1) make a final determination that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2134 Decided by a vote of 6-0 to: (1) make a final determination that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2136 Decided by a vote of 6-0 to: (1) make a final determination that PAGLIUCA FOR SENATE, and SANJAY SAIMI as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2137 Decided by a vote of 6-0 to: (1) make a final determination that PLUMBERS UNION LOCAL 690 POLITICAL ACTION COMMITTEE, and KANE, JOHN I. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2138 Decided by a vote of 6-0 to: (1) make a final determination that POSTMA FOR CONGRESS, and JAMES LEE POSTMA as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2142 Decided by a vote of 6-0 to: (1) make a final determination that SURGICAL INSTITUTE OF READING LP-PAC; THE, and STEPHEN P BANCO as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

July 30, 2010
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 3, 2010

Sanjay Saimi, in official capacity as Treasurer
Pagliuca for Senate
102 Mount Auburn St.
Cambridge, MA 02138

C00467670
AF#: 2136

Dear Mr. Saimi:

On June 10, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Pagliuca for Senate and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2010 April Quarterly Report. By letter dated June 11, 2010, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$990 in accordance with the schedule of penalties at 11 C.F.R. § 111.43.

On July 7, 2010, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on July 28, 2010 that you, in your official capacity as treasurer, and Pagliuca for Senate violated 2 U.S.C. § 434(a), assessed a civil money penalty in the amount of \$990 in accordance with 11 C.F.R. § 111.43, and voted to close the file.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Rhiamon Magruder on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen", is written over a horizontal line.

Matthew S. Petersen
Chairman

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QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 001 \$ 000099000 BA# 1 07-06-10 20 3



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us bancorp.

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|---|------------------------------------|---------------------|
| PAGLIUCA FOR SENATE, INC 102 MOUNT ALBURN ST. (617) 821-5700 CAMBRIDGE, MA 02138 | | 1259 |
| DATE <u>6/29/10</u> | | 60-10718100 0110 |
| PAY TO THE ORDER OF | <u>Federal Election Commission</u> | \$ <u>990.00</u> |
| <u>Nine hundred and ninety and no/100</u> | | DOLLARS |
| Bank of America | | |
| ACH PAYEE NUMBER | | |
| FOR # | <u>C 00467670</u> | <u>Agg. Jan.</u> |



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2136

DATE SCANNED 9-15-10

SCANNER NO. 1

SCAN OPERATOR CHN

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